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April 12, 2023

**VIA ECF**

Hon. Alvin K. Hellerstein  
United States District Judge  
Daniel Patrick Moynihan  
United State Courthouse  
500 Pearl Street  
New York, New York 10007

**Re: *Kelly Toys Holdings, Inc. v. www.axolotlsquishmallow.com, et al.***  
**Case No. 23-cv-1382**  
**Status Letter and Request for Indefinite Adjournment of Status Conference**

Dear Judge Hellerstein,

We represent Plaintiff Kelly Toys Holdings, Inc. (“Plaintiff”) in the above-referenced action (“Action”).<sup>1</sup> Pursuant to the Court’s directives at the Show Cause Hearing, Plaintiff respectfully submits the instant status letter and requests that the status conference currently scheduled for April 28, 2023 (“April 28, 2023 Status Conference”) be adjourned indefinitely.

Plaintiff was contacted by counsel for Defendants who has indicated that he was retained solely for the purpose of discussing settlement with Plaintiff and that Defendants have no intention to formally appear and defend themselves in this Action. Counsel for Plaintiff and counsel for Defendants are currently engaging in settlement discussions. In light of the parties’ settlement discussions and because Defendants’ counsel advised that Defendants would not be formally appearing in this Action, Plaintiff respectfully requests that the April 28, 2023 Status Conference be adjourned indefinitely. In lieu of the status conference, Plaintiff respectfully requests to file a status letter by no later than Friday, June 9, 2023.

We thank the Court for its time and attention to this matter.

Respectfully submitted,

**EPSTEIN DRANGEL LLP**

BY: /s/ Gabriela N. Nastasi  
Gabriela N. Nastasi

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<sup>1</sup> Where a defined term is referenced herein but not defined, it should be understood as it is defined in the Complaint or Application.

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